Resolution No.

ORDER (Pursuant to Chapter 135-5)



To: Elizabeth Bazzicalupo 19 Cherry Place Lake Peekskill, NY 10537

C/0

Altisource Field Services Attn: Arindam Dutta P.O. Box 105460 Atlanta, GA 30348-5460

Re: Dangerous Building 19 Cherry Place Lake Peekskill, NY 10537

Whereas, members of the public had expressed concern about a main two-family residential structure and a secondary one-family residential cottage (the "Structures") located at 19 Cherry Place (Section 12.12, Block 2, Lot 33) (the "Property"); and

Whereas, upon information and belief, the Property is in the name of Elizabeth Bazzicalupo who has since deceased or otherwise abandoned the Property; and

Whereas, an outside company, Altisource, is supposed to be caring for this property and has indicated to Town staff that it intends to foreclose upon the Property; and

Whereas, Town staff members have been in contact with employees of Alitsource and have implored them to remedy violations and safety issues on the Property; and

Whereas, Altisource has taken no steps to further secure the Property; and

Whereas, Martin G. Rogers, PE, the Director of Code Enforcement, submitted a report to the Town Board dated May 21, 2020 evaluating the structures located on the Property ("Rogers Report") and concluded that "[t]he buildings meet the criteria set forth in Chapter 135 and should be demolished. All applicable local and state Code for demolition procedures must be followed (i.e. lead and asbestos testing and abatement, pest management, property maintenance, etc....) and a demolition permit obtained through the Code Division"; and

Whereas, notice of this Public Hearing and the Rogers Report were posted on the Property on June 18, 2020 and also mailed to Altisource; and

Now, therefore it is

Ordered, that the Structure located at 19 Cherry Place (Section 12.12, Block 2, Lot 33), is hereby declared a Dangerous Structure in accordance with Town Code Chapter 135; and it is further

Ordered, that said Structure be demolished and the Property cleared within ten (10) days of the service of this Order on the property owner; and be it further

Ordered, that upon noncompliance by the owner with this Order, the Director of the Department of Technical Services will retain a contractor to perform said work and lien said property in accordance with Chapter 135.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CORTLANDT LAROUE ROSE SHATZKIN TOWN CLERK



NUMBER

At a regular meeting of the Town Board of the Town of Cortlandt, Westchester County, New York, held via Zoom on July 21, 2020, at _____ o'clock P.M., Prevailing Time.

| PRESENT: | |
|--|-------------|
| Linda Puglisi Supervisor | |
| Richard Becker Councilman | |
| James Creighton Councilman | |
| Debra Carter Councilman | |
| Frank Farrell Councilman | |
| In the Matter of the Increase and Improve- ment of the Facilities of the Dickerson Pond Sewer District in the Town of Cortlandt, Westchester County, New York | : : : |

PUBLIC INTEREST ORDER

WHEREAS, the Town Board of the Town of Cortlandt, Westchester County, New York, has duly caused to be prepared a plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Dickerson Pond Sewer District in the Town of Cortlandt, Westchester County, New York, consisting of the purchase of the assets of Valeria Sewerage Works Corporation, being the sewage treatment and collection system and costs incidental thereto; and

WHEREAS, at a meeting of said Town Board duly called and held on May 12, 2020, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of the facilities of the Dickerson Pond Sewer District in said Town at a maximum estimated cost to the District of \$1,900,000 and to hear all persons interested in the subject thereof concerning the same via Zoom on July 21, 2020, at 7:00 o'clock P.M., Prevailing Time; and

WHEREAS, said order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Cortlandt, Westchester County, New York, as follows:

<u>Section 1.</u> Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the improvement, to increase and improve the facilities of Dickerson Pond Sewer District in the Town of Cortlandt, Westchester County, New York, consisting of the purchase of the assets of Valeria Sewerage Works Corporation, being the sewage treatment and collection system and costs incidental thereto, at a maximum estimated cost to the District of \$1,900,000.

<u>Section 2.</u> This order shall take effect immediately.

-2-

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

| Supervisor Linda Puglisi | VOTING |
|----------------------------|--------|
| Councilman Richard Becker | VOTING |
| Councilman James Creighton | VOTING |
| Councilwoman Debra Carter | VOTING |
| Councilman Frank Farrell | VOTING |

The order was thereupon declared duly adopted.

* * * * *

DRAF1

NUMBER

BOND RESOLUTION DATED JULY 21, 2020.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$1,900,000 SERIAL BONDS OF THE TOWN OF CORTLANDT, WESTCHESTER COUNTY, NEW YORK, TO PAY COSTS IN CONNECTION WITH THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE DICKERSON POND SEWER DISTRICT IN THE TOWN OF CORTLANDT, WESTCHESTER COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an order dated July 21, 2020, said Town Board has determined it to be in the public interest to increase the facilities of Dickerson Pond Sewer District in the Town of Cortlandt, Westchester County, New York, at a maximum estimated cost to the District of \$1,900,000; and

WHEREAS, it is now desired to provide funding for such capital project; NOW, THEREFORE,

BE IT

RESOLVED, by the Town Board of the Town of Cortlandt, Westchester County, New York, as follows:

<u>Section 1.</u> For the specific object or purpose of paying the cost of the increase and improvement of the facilities of Dickerson Pond Sewer District in the Town of Cortlandt, Westchester County, New York, consisting of the purchase of the assets of Valeria Sewerage Works Corporation, being the sewage treatment and collection system and costs incidental thereto, there are hereby authorized to be issued \$1,900,000 serial bonds of said Town pursuant to the provisions of the Local Finance Law.

<u>Section 2.</u> It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose to the District is \$1,900,000 and that the plan for the financing thereof is by the issuance of the \$1,900,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local

Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

<u>Section 4.</u> Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

<u>Section 5</u>. The faith and credit of said Town of Cortlandt, Westchester County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall be annually assessed upon all the taxable real property within said Dickerson Pond Sewer District in the manner provided by law an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes sufficient to pay the principal of and interest on said bonds as the same become due.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Cortlandt, Westchester County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he or she shall deem best for the interests of the Town.

<u>Section 8.</u> All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing

the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

<u>Section 10.</u> This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution which takes effect immediately shall be published in summary in the official newspaper of said Town, together with a notice of the Town Clerk in substantially the form provided in Section 81 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

| Supervisor Linda Puglisi | VOTING |
|----------------------------|--------|
| Councilman Richard Becker | VOTING |
| Councilman James Creighton | VOTING |
| Councilwoman Debra Carter | VOTING |
| Councilman Frank Farrell | VOTING |

The resolution was thereupon declared duly adopted.



NO. _____

(INSTRUCT THE DEPARTMENTS OF TECHNICAL SERVICES, ENVIRONMENTAL SERVICES, AND PURCHASING TO RESEARCH VENTILATION SYSTEMS FOR TOWN HALL AND OTHER LOCATIONS)

WHEREAS, the research is clear that the transmission of COVID-19 can be suppressed by engineering controls such as effective ventilation and filtration;

NOW, THEREFORE, BE IT RESOLVED, that the Departments of Technical Services, Environmental Services and Purchasing are directed to work together to research potential appropriate systems at Town Hall as well as other properties owned by the Town and present a summary of findings and recommendations to the Town Board.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CORTLANDT LAROUE ROSE SHATZKIN TOWN CLERK





NO.

(AUTHORIZE FURLOUGHS OF NOR-WEST EMPLOYEES, PER THE REQUEST OF THE DIRECTOR OF NOR-WEST)

WHEREAS, Nor-West Regional Special Services is a partnership amongst the Town of Cortlandt, Town of Yorktown, Town of Ossining, and the City of Peekskill which provides services to those with developmental disabilities; and

WHEREAS, the Coronavirus (COVID-19) Pandemic has forced the majority of Recreation programs to close down; and

WHEREAS, it is unclear when social distancing restrictions will be lifted; and

WHEREAS, this uncertainty has led the Town and Nor-West to engage in a review of its operations and potential cost-savings;

NOW, THEREFORE, BE IT RESOLVED, that furloughs are authorized for Nor-West's Part-Time Recreation Attendants.

BE IT FURTHER RESOLVED that these furloughed employees shall be paid through July 10, 2020, and all final amounts due and owing to these employees shall have been paid out on July 17, 2020.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CORTLANDT LAROUE ROSE SHATZKIN, TOWN CLERK



NO.

(PETITIONING THE GOVERNOR TO SIGN BILLS UNDER CONSIDERATION IN THE NEW YORK STATE SENATE AND NEW YORK STATE ASSEMBLY PERTAINING TO THE CLOSURE OF INDIAN POINT)

WHEREAS, Entergy and its subsidiary entities ("Entergy") own Indian Point Energy Center ("Indian Point"); and

WHEREAS, Entergy is in the process of shutting down the nuclear reactors at Indian Point and transferring the property to Holtec International ("Holtec") for decommissioning; and

WHEREAS, there were two active nuclear reactors on the property known as IP2 and IP3; and

WHEREAS, Entergy shut down IP2 on April 30, 2020, and plans to shut down IP3 in 2021; and

WHEREAS, the shutdown of Indian Point will have a large effect on the Town of Cortlandt community; and

WHEREAS, the Town Board passed Resolution number 124-20 at its May 2020 meeting in support of: (i) NYS Senate Bill S8154 regarding amending the public service law, in relation to providing for decommissioning oversight boards for nuclear power plants in New York State; (ii) NYS Senate Bill S7846 regarding amending the labor law and the public service law in relation to establishing requirements for the transfer, sale, lease, and any decommissioning activities of the Indian Point Nuclear Power Plant; (iii) NYS Senate Bill S8075 regarding amending the real property tax law in relation to including certain spent nuclear fuel within the definition of real property; and (iv) NYS Assembly Bill A10236 regarding amending the public service law, in relation to providing for decommissioning oversight boards for nuclear power plants in New York State; and

WHEREAS, the Town Board is also in support of NYS Senate Bill S8204 which would allow Payment in Lieu of Taxes ("PILOT") Agreements for facilities that currently or formerly generated electricity using nuclear power for sale; and

NOW, THEREFORE, BE IT RESOLVED that the Town Clerk shall forward this resolution to Governor Andrew Cuomo, Senator Peter Harckham, and Assemblywoman Sandra Galef.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CORTLANDT LAROUE ROSE SHATZKIN TOWN CLERK



NO. _____

(AUTHORIZE RETROACTIVE ADDITIONAL POLICE DETAIL FOR 4TH OF JULY WEEKEND)

WHEREAS, the ongoing pandemic and associated restrictive environment have occasionally warranted additional police detail for the safety of the public;

WHEREAS, the 4th of July was one such weekend of significantly increased outdoor activity,

NOW, THEREFORE, BE IT RESOLVED, that additional police detail for that weekend is retroactively approved; and

BE IT FUTHER RESOLVED, that the Comptroller is authorized to amend the budget as necessary.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CORTLANDT LAROUE ROSE SHATZKIN TOWN CLERK



NO. _____

(AUTHORIZE DES/RECREATION TO EVALUATE THE CORTLANDT WATERFRONT PLAYROUND FOR POSSIBLE EXPANSION)

WHEREAS, in keeping with the vision of the 2016 Masterplan, development of the Waterfront Sustainability District will promote more use of this important waterfront property in the Town; and

WHEREAS, the various parks in and around Cortlandt have always been an important draw for families to spend time; and

WHEREAS, the Cortlandt Waterfront Playground has an aviation theme in keeping with the history of the area as a Seaplane Base owned and run by longtime Cortlandt Resident James Martin;

NOW, THEREFORE, BE IT RESOLVED, the Departments of DES and Recreation are instructed to evaluate the playground for possible expansion in keeping with the aviation theme and report back to the Town Board with findings and recommendations.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CORTLANDT LAROUE ROSE SHATZKIN TOWN CLERK



NO.

(AUTHORIZE REFUNDS FOR EXCESS WATER BILL PAYMENTS TO THE OWNERS OF 21 SHADY BROOK LANE AND 157 7TH STREET)

WHEREAS, the owner of 21 Shady Brook Lane, Cortlandt Manor ("Shady Brook Lane Owner") paid a bill for water usage; and

WHEREAS, thereafter, the Shady Brook Lane Owner claimed that there should have been a leak adjustment; and

WHEREAS, the amount in dispute with the Shady Brook Lane Owner is \$841.11;

and

WHEREAS, the owners of 157 7th Street, Verplanck ("7th Street Owners") paid a bill for water usage for a property located at 75 7th Street, Verplanck; and

WHEREAS, thereafter, the 7th Street Owners claimed that they had paid this bill in error; and

WHEREAS, the amount in dispute with the 7th Street Owners is \$432.85;

NOW, THEREFORE, BE IT RESOLVED that the Town Board authorizes the Comptroller's Office to issue a refund in the amount of \$841.11 to the owner of 21 Shady Brook Lane, Cortlandt Manor.

BE IT FURTHER RESOLVED that the Town Board authorizes the Comptroller's Office to issue a refund in the amount of \$432.85 to the owners of 157 7th Street, Verplanck.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CORTLANDT LAROUE ROSE SHATZKIN TOWN CLERK



NUMBER

RE: (AUTHORIZE DEPARTMENT OF TECHNICAL SERVICES TO DESIGN AND BID THE CHARLES J. COOK POOL SNACK BAR)

NOW THEREFORE, BE IT RESOLVED, that the Department of Technical Services is hereby authorized to design and bid the Charles J. Cook Pool Snack Bar.

BE IT FURTHER RESOLVED, that the Town Supervisor and Director of Technical Services are hereby authorized to execute the contract for consulting design services with Bar Down Studio, PO Box 721, Beacon, NY 12508 in the amount not to exceed Fifteen Thousand Dollars (\$15,000.00) to design the improvements and prepare contract documents.

BE IT FURTHER RESOLVED, that the Comptroller is hereby authorized to amend the budget accordingly.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CORTLANDT LAROUE SHATZKIN TOWN CLERK



NUMBER ____

RE: (AWARD CONTRACT NO. TE 2020.05(R) CHARLES J. COOK POOL COMPLEX TENNIS COURT – NEW FENCE)

WHEREAS, Eight (8) sealed bids were received on July 15, 2020 for Contract No. TE 2020.05(R) - Charles J. Cook Pool Complex Tennis Court – New Fence to install approximately 420 linear feet of new 10' high chain link fence, one 5' gate, and perform miscellaneous construction work in the amounts shown below:

| WBE Fence Company, Inc. 11 Deer Court Brewster, NY 10509 | \$27,940.20* |
|--|--------------|
| Giacorp Contracting Inc. 11 Bradhurst Avenue Hawthorne, NY 10532 | \$29,623.00 |
| Spitale Construction Resources 2025 Crompond Road Yorktown Heights, NY 10598 | \$34,115.00* |
| The Landtek Group, Inc. 235 County Line Road Amityville, NY 11701 | \$42,799.20* |
| Sherwani Contracting, Inc. 1 Bayshore Road Bayshore, NY 11706 | \$48,500.00 |
| JK Fence 927 Bernard Road Peekskill, NY 10566 | \$56,598.00 |
| Senco Metals LLC 90 Dayton Avenue Bldg. 5, Suite 101 Passaic, NJ 07055 | \$66,791.00* |
| Sport-Tech Construction Corp. 410 Route 22 Brewster, NY 10509 | \$69,800.00 |
| | |

* Mathmatical Correction

; and

WHEREAS, the Director of Technical Services has reviewed the bids and recommends awarding the Charles J. Cook Pool Complex Tennis Court – New Fence Project to WBE Fence Company Inc., 11 Deer Court, Brewster, NY 10509 in the amount of Twenty Seven Thousand Nine

Hundred Forty Dollars and Twenty Cents (\$27,940.20); and

WHEREAS, Bonding requirements have been eliminated from Contract No. TE 2020.05R. However, the successful low Bidder awarded the project shall furnish to the Town of Cortlandt, a Certified Check, Letter of Credit or Cash as maintenance security in the amount of \$5,000 for a period of one year from the date of final acceptance.

NOW, THEREFORE, BE IT RESOLVED, that a variance is hereby granted under Section 237-5 of the Town Code and the \$5,000 maintenance security may be accepted in lieu of the normally required bonds; and

BE IT FURTHER RESOLVED, that the contract, be awarded to the lowest responsible bidder WBE Fence Company Inc., 11 Deer Court, Brewster, NY 10509 in the amount of Twenty Seven Thousand Nine Hundred Forty Dollars and Twenty Cents (\$27,940.20)

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute the contract documents subject to approval of the same by the Town Attorney; and

BE IT FURTHER RESOLVED, that the Comptroller is hereby authorized to amend the budget accordingly.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CORTLANDT LAROUE SHATZKIN TOWN CLERK



RE: (REJECT PROPOSALS FOR CONTRACT TE 2020.06(R) CHARLES J. COOK POOL TENNIS COURT COMPLEX – RESURFACING AND AUTHORIZE DOTS TO RE-BID)

WHEREAS, two (2) sealed proposals were received on July 10, 2020 for Contract No. TE 2020.06(R) – Charles J. Cook Pool Complex Tennis Court - Resurfacing Project in the amounts shown below:

| Sherwani Contracting 1 Bay Shore Road | \$47,700.00 |
|--|-------------|
| Bay Shore, NY 11706 Mathusek Incorporated | \$71,059.00 |
| 25B Iron Horse Road Oakland, NJ 07436 | |

; and

WHEREAS, the Director of Technical Services has reviewed the proposals and discussed the project with both contractors; and

WHEREAS, the Director of Technical Services recommends rejecting the proposals.

THEREFORE, BE IT RESOLVED, that the proposals are rejected and the Director of Technical Services is hereby authorized to re-bid the project with a change of scope.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CORTLANDT LAROUE SHATZKIN TOWN CLERK



NUMBER _____

RE: (APPOINT AN INTERN AT THE MURIEL H. MORABITO COMMUNITY CENTER)

NOW, THEREFORE, BE IT RESOLVED, that following student is appointed as an intern at the Muriel H. Morabito Community Center:

Amaavi Miriyagalla 23 4th Street Cortlandt Manor, NY 10567

BE IT FURTHER RESOLVE, Ms. Miriyagalla will be paid an hourly salary of \$13.50 and will work fourteen hours per week effective July 22, 2020.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CORTLANDT LAROUE ROSE SHATZKIN TOWN CLERK



NUMBER _____

(RE: AUTHORIZING A LEAVE OF ABSENCE FOR AN EMPLOYEE IN THE DEPARTMENT OF D.E.S)

RESOLVED, that the following employee is hereby approved for a leave of absence under FLMA effective the following date:

Employee ID # 8970505 –Effective May 19, 2020

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CORTLANDT LAROUE ROSE SHATZKIN TOWN CLERK

Adopted on July 21, 2020 at a Regular Town Board Meeting Held Via Zoom



NUMBER

(RE: AUTHORIZING AN INTERMITTENT LEAVE OF ABSENCE FOR AN EMPLOYEE IN THE OFFICE OF THE TOWN ASSESSOR UNDER FMLA)

RESOLVED, that the following employee is hereby granted an intermittent leave of absence under FMLA effective between the following dates:

Employee ID# 557035 – July 27, 2020 through October 27, 2020

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CORTLANDT LAROUE ROSE SHATZKIN TOWN CLERK

Adopted on July 21, 2020 at the Regular Meeting Held at Via Zoom